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European Union  
Community Plant Variety Office

Date of receipt

(for Office use only)

P-form-EN

## PROPOSAL FOR A VARIETY DENOMINATION

1. Applicant: name and address:

John D. Walters  
PO Box 137  
49464-0137  
United States of America

2. Provisional designation of the variety (breeder's reference):

'Jack Frost' sport

3. Botanical taxon: Latin name of the genus, species or sub-species to which the variety belongs and common name:

Brunnera macrophylla

4. File no., if already known:

2003/0249

5. A denomination may be in the form of a "fancy name" or a "code" and the appropriate set of rules will apply accordingly (see *Official Gazette of the Office* n° 3/2000).

(Please tick the appropriate answer):

☐

1. CODE

☒

2. FANCY NAME

Attention : if no answer is indicated, the Office will treat your proposal as a fancy name.

## PROPOSAL FOR A VARIETY DENOMINATION:

## LOOKING GLASS

(Please propose only one and use CAPITAL letters)

6. If any, the preceding proposal for a variety denomination made to the Office:

7. Denominations proposed for entry or entered in an official register in a Member State of the EU or in a Member of UPOV:

Filing State	Stage	Denomination (if different from 5 above).

8. ☐ The proposed denomination has been filed by or registered for the applicant (s) as a trademark in the EU or in a Member of UPOV or with the International Bureau of the World Intellectual Organization (WIPO) in respect of products that are identical or similar within the meaning of trademark law:

State and/or WIPO	Date of application	Date of registration	Registration number

I/We hereby declare that, to the best of my/our knowledge, the above information given in this form is complete and correct.

Place : Liège

Date: 3 september 2003

Signature(s):

**cnb**

European Union

Community Plant Variety Office

APPLICATION FOR COMMUNITY PLANT VARIETY RIGHT  
TO THE COMMUNITY PLANT VARIETY OFFICE

For use of National Agency only, if necessary

Via National Agency:

File No:

For Office's use only

Date of application:

Priority date:

File number of application:

To be filled in by the applicant

Botanical Taxon: *Bruniera Macrophylla*  
Provisional designation: None designated at this time

Provisional designation of the variety: None designated at this time

CNB

<p><b>1. Applicant(s) Name(s) (if natural person please indicate christian name first):</b>          John D. Walters          P.O. Box 137          49404-0137, USA          Telephone : + / 616-772-4691 Fax : + / 616 772 5803          E-mail (if existing): juw@ @ waltersgardens.com</p> <p><b>If a natural person, indicate the nationality and address:</b></p> <table border="0"> <tr> <td>Nationality</td> <td>Address</td> </tr> <tr> <td>USA</td> <td></td> </tr> </table> <p><b>If a legal person (eg. a firm or company), indicate the address of its seat or establishment :</b>          Idem</p> <p><b>Indicate the name and address of the natural person, being an employee of the legal person, who is duly authorised to represent the legal person (eg. a director of a company or a partner of a firm):</b></p> <p>Telephone : + / Fax : + /          E-mail (if existing): (a)</p>	Nationality	Address	USA		Office use
Nationality	Address				
USA					
<p><b>2. If a procedural representative has been designated, please indicate his name and address and file the relevant signed credentials (see instructions):</b>  <i>(For applicants not having a domicile, seat or establishment within the territory of the European Union, a procedural representative with a domicile, seat or establishment therein is required)</i></p> <p>CNB (B.A)          Postbus 31          2160 AA LISSE          The Netherlands</p> <p>Telephone : + 31 / 252431131 Fax : + 31 / 252431126          E-mail (if existing): c.vanhunnik @ cnb.nl</p>					

Provisional designation of the variety: None designated at this time

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<p>3. Address to which correspondence is to be sent if different from 1 or 2.</p> <p>Telephone : + /      Fax : + /</p> <p>E-mail (if existing) : @</p>	Office use
<p>4. Botanical taxon: Latin name of the genus, species or subspecies to which the variety belongs and the common name:</p> <p>Brunnera Macrophylla</p>	
<p>5. a) Where appropriate your proposal for the variety denomination (please also fill in the the form "Proposal for variety denomination"):</p> <p>n/a</p> <p>b) In any case, the provisional designation (breeder's reference) for the variety (in BLOCK LETTERS) :</p>	
<p>6. The original breeder(s) is/are <input checked="" type="checkbox"/> the applicant(s)  <input type="checkbox"/> the following(s) person(s)</p> <p>Name(s) and address(es) si different from applicant:</p> <p>Telephone : + /      Fax : + /</p> <p>Email (if existing) : @</p> <p>If the original breeder(s) is(are) not the applicant(s), how was the variety transferred to the applicant(s):</p> <p><input type="checkbox"/> contract  <input type="checkbox"/> succession  <input type="checkbox"/> other (specify)</p> <p>Please provide relevant documentary evidence in original or officially certified form.</p>	

Provisional designation of the variety None designated at this time

cnb

<p><b>7. Details of all other applications made in a Member State of the EU or in a Member of the International Union for the Protection of New Varieties of Plants (UPOV):</b></p> <table border="0"> <tr> <td><input type="checkbox"/> Plant Variety Rights</td> <td><input type="checkbox"/> Plant Variety Rights</td> </tr> <tr> <td><input type="checkbox"/> Official Variety List</td> <td><input type="checkbox"/> Official Variety List</td> </tr> <tr> <td><input type="checkbox"/> Patent</td> <td><input type="checkbox"/> Patent</td> </tr> <tr> <td>Date</td> <td>Date</td> </tr> <tr> <td>Filing State</td> <td>Filing State</td> </tr> <tr> <td>Authority</td> <td>Authority</td> </tr> <tr> <td>Application N°</td> <td>Application N°</td> </tr> <tr> <td>Stage</td> <td>Stage</td> </tr> <tr> <td>Variety denomination or breeder's reference</td> <td>Variety denomination or breeder's reference</td> </tr> </table> <p>(If necessary, continue on a separate sheet)</p> <div style="border: 1px solid black; padding: 5px; text-align: center;">Supplementary sheet</div>	<input type="checkbox"/> Plant Variety Rights	<input type="checkbox"/> Plant Variety Rights	<input type="checkbox"/> Official Variety List	<input type="checkbox"/> Official Variety List	<input type="checkbox"/> Patent	<input type="checkbox"/> Patent	Date	Date	Filing State	Filing State	Authority	Authority	Application N°	Application N°	Stage	Stage	Variety denomination or breeder's reference	Variety denomination or breeder's reference	Office use
<input type="checkbox"/> Plant Variety Rights	<input type="checkbox"/> Plant Variety Rights																		
<input type="checkbox"/> Official Variety List	<input type="checkbox"/> Official Variety List																		
<input type="checkbox"/> Patent	<input type="checkbox"/> Patent																		
Date	Date																		
Filing State	Filing State																		
Authority	Authority																		
Application N°	Application N°																		
Stage	Stage																		
Variety denomination or breeder's reference	Variety denomination or breeder's reference																		
<p><b>8. Priority is now claimed in respect of the earliest application for a property right filed :</b></p> <p>in (country):</p> <p>on (date of application):</p>																			
<p><b>9. a) Has the variety been sold or otherwise exploited?</b></p> <p>- Within the territory of the European Union <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please indicate date and country of the first disposal of the variety and the designation used:</p> <table border="0"> <tr> <td>Date</td> <td>Country</td> <td>Denomination</td> </tr> </table> <p>- Outside the territory of the European Union <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please indicate date and country of the first disposal of the variety and the designation sous quelle dénomination:</p> <table border="0"> <tr> <td>Date</td> <td>Country</td> <td>Denomination</td> </tr> </table>	Date	Country	Denomination	Date	Country	Denomination													
Date	Country	Denomination																	
Date	Country	Denomination																	

# enb

Provisional designation of the variety

CNS

Office use

b) Is the variety repeatedly used in the production of one or more hybrid varieties?

☐ Yes

☒ No

If yes, please indicate for each hybrid the same information as requested in a).

Date

Country

Denomination

c) Has the variety been disposed of under other circumstances than those mentioned under a) or b) by the breeder or with his consent?

☐ Yes

☒ No

(Please give the details)

#### 10. A technical examination for official purposes

☐ has already been carried out in (country)

☐ is in the process of being carried out in (country)

☒ has not yet been carried out

If the candidate variety is a parental line of a hybrid variety and is being (has been) examined in connection with the examination of the hybrid variety, please indicate the denomination of the hybrid variety and the country in which the examination is being (has been) carried out:

11. Is the candidate variety a Genetically Modified Organism within the meaning of Article 2 (?) of the Council Directive EEC 90/269?

☐ Yes

☒ No

Provisional designation of the variety None designated at this time

File-number \_/\_.

12. In the event of the grant of a Community plant variety right, the certificate will be issued in the language in which the application was filed, unless an indication is given below of the desire to have the certificate issued instead in the following official language of the EU:

EN

13. Application Fee : Has the payment of the Application Fee already been arranged?



Yes



No

Please fill out and attach the form « Details of payment »

14. The following forms or documents are attached to this application :  
Please tick the relevant boxes



1 Technical questionnaire (original + one copy)



2 Technical questionnaire, confidential part (original + one copy)



3 Form of designation of a procedural representative



4 Proposal for a variety denomination (original + one copy)



5 Documentary evidence of entitlement to file an application



6 Priority claim (certified copy of the first application)



7 Form "Details of payment"



8 Photographs (in case of fruit and ornamental varieties)



9 Copy of the relevant written release consent (for GMOs)



10 Others: please specify

The technical questionnaire and the form of designation of any procedural representative form part of the application.



Provisional designation of the variety None designated at this time

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**15. DECLARATIONS**

- = - I (We) hereby apply for the grant of a Community plant variety right.
- = - Authorisation is hereby given to the Community Plant Variety Office to exchange with the Examination Offices and other competent authorities all necessary information and material related to the variety provided that the rights of the applicant are safeguarded.
- = - I (We) hereby declare that, to the best of my (our) knowledge, the information necessary for the examination of the application, given in this form and the annexes, is complete and correct.
- = - I (We) hereby declare that no person other than the person or persons mentioned in this application has been involved in the breeding, or discovery and development, of the variety.

Place : Liège

Date : 3 februari 2003

Signature:

**SEE INSTRUCTIONS**

Tick if necessary

**cnb**P. 01/01/03-EN-GENERAL  
Page 1**European Union**  
Community Plant Variety Office

Application date .....

File number .....  
(not to be filled in by the applicant)**TECHNICAL QUESTIONNAIRE**

to be completed in connection with an application for Community plant variety rights

1. Botanical taxon: Latin name of the genus, species or sub-species to which the variety belongs and common name.

Genus                      Macrophylla

Species                    Brunnera

2. a) Applicant(s): Name(s) and address(es), phone and fax number(s), and where appropriate name and address of the procedural representative

John D. Walters  
PO Box 137  
49161-0137 United States of America

3. Variety denomination

a) Where appropriate proposal for a variety denomination:

None designated at this time

b) Provisional designation (breeder's reference):

**4. Information on origin, maintenance and reproduction of the variety****4.1 Breeding, maintenance and reproduction of the variety.**  
Please indicate breeding scheme, parents, other relevant information

Sport

**4.2 Geographical origin of the variety: the region and the country in which the variety was bred or discovered and developed**

Zeeland, Michigan, USA

**4.3 Shall the information on data relating to components of hybrid varieties including data related to their cultivation be treated as confidential?**☐ YES☒ NO

If yes please give this information on the attached form for confidential information

If no, please give information on data relating to components of hybrid varieties including data related to their cultivation :

Breeding scheme (indicate female component first )

Sport of *Drunnera Macrophylla* 'Jack Frost'.

**cnb**D/TO-EN-GENERAL  
Page 1

## 5. Characteristics of the variety to be indicated.

Characteristics	State of expression	Example Varieties if any
Intesely silver/white leaf surface:		

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P/TQ-EN-GENERAL  
Page 4

## 6. Similar varieties and differences from these varieties

Denomination of similar variety	Characteristic in which the similar variety is different <sup>o)</sup>	State of expression of similar variety	State of expression of candidate variety
Jack Frost Silver Wings		Green veining and margin Much less silvering to surface, and yellow/white marginal variegation.	
Langtrees		Silver barring only, rest of leaf is	

<sup>o)</sup> In the case of identical states of expressions of both varieties, please indicate the size of the difference.

## 7. Additional information which may help to distinguish the variety

A representative colour photo of the fruit or ornamental variety must be added to the Technical Questionnaire

7.1 Resistance to pests and diseases  
n/a

7.2 Special conditions for the examination of the variety  
☐ YES, please specify

☒ NO

7.3 Other information  
n/a

## 8. GMO-information required

The variety represents a Genetically Modified Organism within the meaning of Article 2(2) of Council Directive EC/90/220 of 23/04/1990

☐ yes ☒ no

If yes, please add a copy of the written attestation of the responsible authorities stating that a technical examination of the variety under Articles 55 and 56 of the Basic Regulation does not pose risks to the environment according to the norms of the above-mentioned Directive.

I/we hereby declare that to the best of my/our knowledge the information given in this form is complete and correct

Lisse, 3 februari 2003

date

signature

{End of document}